REMARKS

Applicants hereby respectfully request a second telephonic interview with the Examiner, and that the Examiner kindly contact the undersigned attorney via telephone upon receiving and reviewing this response.

Claims 1-5, 7-11, 13-28, 30-31, and 33-39 are currently pending in the present application, with Claim 13 being amended, and Claims 37-39 being added. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-4, 7-10, 13-28, 30-31, and 33-36 under 35 U.S.C. § 103(a) as being unpatentable over Toriumi (U.S. Patent No. 6,062,868) in view of Hasegawa (U.S. Patent No. 6,570,080). This rejection is respectfully traversed.

As discussed in the previous communications and during a telephonic interview with the Examiner, the present invention is directed an apparatus and method for converting and delivering musical content information between a client terminal and a server that is connected to the client terminal over a communication network, including networks such as the Internet, LAN, WAN, Ethernet, etc. In one aspect of the invention, the content information of a music piece, such as MIDI data, is received by the server from the client terminal and then converted delivered back to the client terminal. As discussed previously, the server converts the received content information by, inter alia, imparting additional value to the content information. For instance, the client terminal may send to the server content information of a right-hand performance of a music piece. The server then converts the received content information by imparting additional content information to the received content information, such as adding the left-hand performance of the same music piece. The server then delivers back to the client terminal the two-hand performance of the music piece.

As also previously discussed, Toriumi is directed to a karaoke transmitting system that, in response to a simple request signal received from terminal 40, reads out music data and background video data from a server. Toriumi also discloses creating karaoke data on the basis of the read-out music data and background video data. However, as discussed during the telephonic interviews and in previous communications, Toriumi does not teach or suggest converting content information received from a client terminal into a different content information by imparting an additional value to the received information, and then transmit back to the client terminal the converted content information. Rather, the Toriumi is simply transmits the melody content mixed with vido/audio data via a TV retransmission system 30a as shown in Fig. 2.

With respect to Claims 27-36, Toriumi simply does not teach or suggest creating and transmitting musical information on the basis of the parameters provided by a client terminal. Rather, Toriumi simply shows a music piece or the like produced by new melody producing section 1, but not on the basis of any parameters received.

Hasegawa fails to make up for the deficiencies of Toriumi. Specifically, Hasegawa is directed to a musical content downloading system by which users, such as users of a cell phone, can request to receive sample music melodies (such as ring tones) from a music server and, if the user decides that he or she likes the sampled music melody, the user can thereafter request download of the entire melody. While Hasegawa certain disclose a bi-directional communication system as with any communication system which is inherently bi-directional, Hasegawa does not teach or suggest whatsoever the concept of receiving content information from a client terminal, convert that content information received, and then transmit back to the client terminal the converted content information. In fact, Hasegawa is completely irrelevant to the present invention.

In view of the above, even when combined, Toriumi and Hasegawa does not teach or suggest the concept sending content information to a server, the server altering the content information received, and then the server sending back to the sender the altered content information. Accordingly, Applicants respectfully submit that Claims 1-4, 7-10, 13-28, 30, 31, and 33-36 are not obvious in view of Toriumi and Hasegawa.

The Examiner objected to Claims 5 and 11 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim. In view of the above that the independent claims are in condition for allowance, Applicants respectfully submit that Claims 5 and 11 are in condition for allowance without further amendments.

New Claims 37-39 are added to claim further details of the present invention, and are respectfully submitted as in condition for allowance.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032025300.

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Respectfully submitted,

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